



Atty Dkt. No.: UCAL142CON  
USPN: 08/976,560

Handwritten initials and date: 1/31/02

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Typed or Printed Name	Cindy Hoang
Signature	<i>Cindy Hoang</i>
Date	January 30, 2002

<b>APPELLANTS' BRIEF</b>  Address to: Box <i>AF</i> Assistant Commissioner for Patents Washington, D.C. 20231	Attorney Docket	UCAL142CON
	First Named Inventor	N.B. Freimer
	Application Number	08/976,560
	Filing Date	November 24, 1997
	Group Art Unit	1655
	Examiner Name	L. Arthur
	Title	<i>Methods for treating bipolar mood disorder associated with markers on chromosome 18p</i>

01/30/2002 HVUONG1 00000001 500815 08976560  
01 FC:121 200.00 CH

Sir:

This Brief is filed in support of appellants' appeal from the Examiner's Final Rejection dated April 24, 2001. No claims have been allowed, and claims 1-12 and 25-27 are pending. All claims are appealed. A Notice of Appeal was filed on October 10, 2001, making this Appeal Brief due on December 10, 2001. A Petition and fee for a one-month Extension of Time is filed herewith, making this Appeal Brief due on January 10, 2002. Accordingly, this Appeal Brief is timely filed.

The Board of Appeals and Interferences has jurisdiction over this appeal pursuant to 35 U.S.C. §134.

Permission to charge the deposit account in the amount of \$710.00 is enclosed to cover the \$320.00 required per 37 C.F.R. §1.17(c) for filing appellants' brief, the \$280.00 for the Request for Oral Hearing, and the \$110.00 for the extension of time. In the unlikely event that the check and/or transmittal papers are separated from this document and/or other fees or relief are required, appellants petition for such relief, including extensions of time, and authorize the Commissioner to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number UCAL142CON.

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1

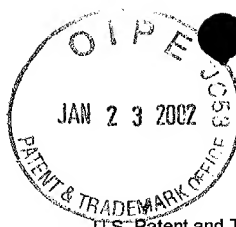
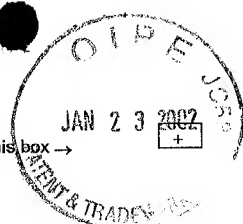
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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

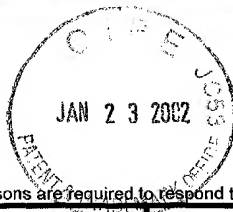
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	08/976,560																																	
		Filing Date	November 24, 1997																																	
		First Named Inventor	FREIMER, NELSON B.																																	
		Group Art Unit	1655																																	
		Examiner Name	ARTHUR, L.																																	
Total Number of Pages in This Submission	32 + 3 Exhibits (in triplicate)	Attorney Docket Number	UCAL142CON																																	
<b>ENCLOSURES (check all that apply)</b>																																				
<table border="0"><tr><td><input checked="" type="checkbox"/> Fee Transmittal Form</td><td><input type="checkbox"/> Assignment Papers (for an Application)</td><td><input type="checkbox"/> After Allowance Communication to Group</td></tr><tr><td><input type="checkbox"/> Fee Attached</td><td><input type="checkbox"/> Drawing(s)</td><td><input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences</td></tr><tr><td><input type="checkbox"/> Amendment / Reply</td><td><input type="checkbox"/> Licensing-related Papers</td><td><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)</td></tr><tr><td><input type="checkbox"/> After Final</td><td><input type="checkbox"/> Petition</td><td><input type="checkbox"/> Proprietary Information</td></tr><tr><td><input type="checkbox"/> Affidavits/declaration(s)</td><td><input type="checkbox"/> Petition to Convert to a Provisional Application</td><td><input type="checkbox"/> Status Letter</td></tr><tr><td><input checked="" type="checkbox"/> Extension of Time Request</td><td><input type="checkbox"/> Power of Attorney, Revocation</td><td><input type="checkbox"/> Other Enclosure(s) (please identify below):</td></tr><tr><td><input type="checkbox"/> Express Abandonment Request</td><td><input type="checkbox"/> Change of Correspondence Address</td><td>1) Exhibit 1</td></tr><tr><td><input type="checkbox"/> Information Disclosure Statement</td><td><input type="checkbox"/> Terminal Disclaimer</td><td>2) 2 Previously Submitted Exhibits</td></tr><tr><td><input type="checkbox"/> Certified Copy of Priority Documents</td><td><input type="checkbox"/> Request for Refund</td><td></td></tr><tr><td><input type="checkbox"/> Response to Missing Parts/Incomplete Application</td><td><input type="checkbox"/> CD, Number of CD(s) _____</td><td></td></tr><tr><td><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53</td><td>Remarks</td><td></td></tr></table>				<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group	<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information	<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter	<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Other Enclosure(s) (please identify below):	<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Change of Correspondence Address	1) Exhibit 1	<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	2) 2 Previously Submitted Exhibits	<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> Request for Refund		<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> CD, Number of CD(s) _____		<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	
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<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>																																				
Firm or Individual Name	PAULA A. BORDEN, Reg. No. 42,344																																			
Signature																																				
Date	January 10, 2002																																			

<b>CERTIFICATE OF MAILING</b>		
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Typed or printed name	Cindy Kim Hoang	
Signature		Date January 10, 2002

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PTO/SB/17 (10-01)

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

## Complete if Known

Application Number	08/976,560
Filing Date	November 24, 2001
First Named Inventor	FREIMER, NELSON B.
Examiner Name	ARTHUR, L.
Group Art Unit	1655
Attorney Docket No.	UCAL142CON

TOTAL AMOUNT OF PAYMENT

(\$710.00)

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit overpayments to:  
Deposit Account Number 50-0815  
Deposit Account Name Bozicevic, Field & Francis LLP
- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17
- ☐ Applicant Claims small entity status.  
See 37 CFR 1.27

2. ☐ Payment Enclosed:☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

## 2. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

## SUBTOTAL (1)

## 1. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims 15-20	=	x	=
Indep. Claims 5-7	=	x	=
Multiple Dependent			

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

## SUBTOTAL (2) \$

\*\*or number previously paid, if greater; For Reissues, see above.

## 3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examination action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	110.00
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	320.00
121	280	221	140	Request for oral hearing	280.00
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	For each additional invention to be examined (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$710.00)

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Paula A. Borden	Registration No. (Attorney/Agent)	42,344	Telephone	(650) 327-3400
Signature		Date	01/10/2002		

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